

REMARKS

Claims 1-6 are all the claims pending in the application, of which claims 1-4 have been withdrawn from consideration. Claims 5 and 6 have been considered by the Examiner and have been rejected. Applicants traverse the rejections for at least the following reasons.

Applicants have amended claims 5 and 6 to delete the reference numerals and have further amended claim 5 to recite that the applying step is performed “after the resin has hardened.” This amendment is supported at least by the first full paragraph on page 5. No new matter has been added.

Claim Rejections Under 35 U.S.C. § 112:

Claims 5 and 6 are rejected under 35 U.S.C. § 112 (second paragraph) as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Applicants respectfully submit that those skilled in the art would understand that the phrase “applying a bi-adhesive sheet to the back of the ornaments” includes both of the two features described by the Examiner, namely that a single bi-adhesive sheet is applied to multiple ornaments or separate bi-adhesive sheets are applied to each individual ornament. Both of these arrangements are feasible and equally provide the advantages of the claimed feature, for example facilitating the de-moulding of the hardened resin and allowing the successive adhesion of the ornament to a substrate.

Furthermore, there only need be a reasonable degree of clarity and particularly (M.P.E.P. § 2173.02). It is clear that the claim language could cover at least either of the two arrangements proposed by the Examiner, as the Examiner admits.

Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claim Rejection Under 35 U.S.C. § 103:

Claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hsu (U.S. Patent no. 5,972,144) in view of Jeffers (U.S. Patent No. 2,500,494), Tukakoshi (U.S. patent No. 5,226,993) and Schickedanz (U.S. Patent No. 3,658,971). Claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hsu in view of Jeffers, Tukakoshi and Schickedanz as applied to claim 5 above, and further in view of Mohiuddin (U.S. Patent No. 4,350,739). Further, claim 5 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kasprzak (U.S. Patent No. 5,140,752) in view of Hsu, Jeffers, Tukakoshi and Schickedanz. Finally, claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kasprzak in view of Hsu, Jeffers, Tukakoshi and Schickedanz as applied to claim 5 above, and further in view of Mohiuddin. For the following reasons, Applicants respectfully traverse the Examiner's rejections.

According to the Examiner, Schickedanz allegedly discloses that the adhesive force of a bi-adhesive sheet may be used to facilitate removal of an article from a mold. However, Schickedanz does not disclose any bi-adhesive sheet.

The alleged bi-adhesive sheet of Schickedanz, namely web 41, has merely "an adhesive receptive surface" which is pressed "on the adhesive surface of the molded product by means of a pressure roll 43" (see col. 4, lines 30-34). Hence, the web 41 of Schickedanz is adhesive neither on its upper face (since on the contrary it would stick to the pressure roll 43), nor on its lower face, which is merely receptive to the adhesive carried by the molded product and thus

non-adhesive in itself. Therefore, the web 41 of Schickedanz does not correspond to the claimed “applying a bi-adhesive sheet to the back of the ornaments” step.

Furthermore, Applicants submit that the adhesive strip 19 of Schickedanz does not correspond to the claimed applying step.

Firstly, Applicants have amended claim 5 to recite that the applying step is performed prior to removal and after the resin has hardened. The strip 19 of Schickedanz is applied prior that the foaming processes take place and the molded articles take the desired shape (see col. 2, lines 24-27).

Furthermore, Applicants submit that the strip 19 is not bi-adhesive when applied due to the release paper 30 which is disposed on the one side when the strip is applied to the mold. In other words, it is submitted that Schickedanz merely teaches applying a strip which is adhesive on only one side to the molded product prior to the product being removed from the mold.

In addition, it would not have been obvious to further modify the steps of Schickedanz to include applying a sheet that is adhesive on both sides because the strip 19 is used for a different purpose than that of the present invention. The strip 19 of Schickedanz is used “to form a closure for the open ended mold” or more specifically “serves as a closure for the molding cavities during the time the foamable composition is expanding to fill the molding cavity” (column 1, lines 29-30 and 46-48). Additionally, even after the release paper 30 of Schickedanz is removed, the strip 19 is again covered with the non-adhesive web 41 which is “used as a backing on the finished article.” Furthermore, Applicants submit that the sheet of Schickedanz, if provided with adhesive on both sides, would likely adhere to the plurality of rollers (22, 23, 24, 35).

Additionally, a foaming reaction (as in Schickedanz) is fundamentally different from an hardening reaction (as in the present invention) providing further evidence that it would not have been obvious to modify Schickedanz to include such step.

In light of the above, it is submitted that claim 1 is patentable over the cited references at least for its recitation that "applying a bi-adhesive sheet to the back of the ornaments wherein the bi-adhesive sheet is applied prior to the removal thereof from the mould (10) and after the resin has hardened." Hence, it is respectfully requested that the rejections be withdrawn.

In addition, Mohiuddin does not supply the deficiencies of the other cited art. Therefore, because claim 6 depends from claim 5, claim 6 should be patentable at least by virtue of its dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Stacey A. Fluhart
Registration No. 63,726

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 30, 2009